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Monday, July 7, 2008

The Honorable Charles R. Breyer
United States District Judge
Northern District of California
450 Golden Gate Ave.
San Francisco, CA 94102

RE: *United States v. Linda Ashiegbu, CR 07-0654 CRB*

Your Honor:

The *Ashiegbu* matter is currently scheduled before the Court tomorrow, July 8th, for an evidentiary hearing on Mrs. Ashiegbu's motion to suppress statements made to an ICE agent.

I hereby withdraw that motion on behalf of Ms. Ashiegbu, and ask that the evidentiary hearing be taken off of the Court's calendar. My client and I both understand that by withdrawing this *Miranda* motion we surrender this pretrial challenge and the defendant's right to an evidentiary hearing on the issue. Mrs. Ashiegbu and I represent that it is our intent to permanently withdraw the motion, and further represent that it will not be re-filed.

All of the parties in the two related matters have reached tentative pretrial dispositions. I would ask that the parties be allowed to appear before your Honor tomorrow, July 8th, at 9:00 a.m. for a status hearing. At that appearance I will be asking for a date before the Court for Ms. Ashiegbu's entry of a plea of guilt. If Mrs. Ashiegbu does not enter a guilty plea on the date requested, the government will be seeking trial dates. I anticipate that, should Mrs. Ashiegbu's case resolve in a plea of guilt, Mr. Ashiegbu's case will also have a resolution on the same date.

I have called and spoken with AUSA Danner, explained that I am withdrawing the motion, and proposed the status hearing tomorrow that I described above. She is in agreement.

Letter of AFD Kalar
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Thank you for your consideration. I look forward to appearing before the Court tomorrow morning. Should you have any questions, please feel free to ask Ms. Espinoza to contact me at 415.436.7711.

Sincerely,

BARRY J. PORTMAN
Federal Public Defender
Northern District of California

/s

STEVEN G. KALAR
Assistant Federal Public Defender
Northern District of California

cc: AUSA Allison Danner
Ms. Julia Jayne
Mr. Phil Vaughns